

### The "Scottsboro Boys" Trial



No crime in American history-- let alone a crime that never occurred-- produced as many trials, convictions, reversals, and retrials as did an alleged gang rape of two white girls by nine black teenagers on a Southern Railroad freight run on March 25, 1931. Over the course of the two decades that followed, the struggle for justice of the "Scottsboro Boys," as the black teens were called, made celebrities out of anonymities, launched and ended careers, wasted lives, produced heroes, opened southern juries to blacks, exacerbated sectional strife, and divided America's political left.

The story of the Scottsboro Boys is one of the most shameful examples of injustice in our nation's history. It makes clear that in the Deep South of the 1930's, jurors were not willing to accord a black charged with raping a white woman the usual presumption of innocence. In fact, one may argue that the presumption seemed reversed: a black was presumed guilty unless he could establish his innocence beyond a reasonable doubt. The cases show that to jurors, black lives didn't count for much. The jurors that in April, 1933 had just voted to sentence Haywood Patterson to death were seen laughing as they emerged from the juryroom. Hannah Arendt wrote of "the banality of evil." Evil rarely comes in the form of monsters, but rather in the form of relatively normal people who, for reasons of careers, ideology, or a desire for society's approval, are indifferent to the human consequences of their actions. Because of indifferent jurors and career-motivated prosecutors, the self-serving and groundless accusations of a single woman were allowed to change forever the lives of nine black teenagers who found themselves in the wrong place at the wrong time.

It is easy, especially for a Minnesota native like myself, to look at the story of the Scottsboro Boys and to condemn a whole region of the country. That, however, is unfair. There were good people of the South--courageous newspaper editors, attorneys, ministers, and others-- who fought for justice for the Scottsboro Boys. One southerner's actions stand out above all others. The decision of Judge James Horton to set aside the conviction of Haywood Patterson, despite the dire consequences that decision would have for his own career, was heroism, pure and simple.